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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/985,696	11/02/2001	Mark N. Boundy	PH 01-02	4294

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EXAMINER

BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/985,696

Applicant(s)

BOUNDY, MARK N.

Examiner

Yasin M Barqadle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claims 1-24 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Dalal et al U.S. PUB. No. (2003001448).

As per claim 1, Dalal et al teach a multimedia user station (clients in fig.1), an Internet Protocol (IP) network connected to a switched circuit network (fig. 1 and 4. ¶ 0026), said multimedia user station capable of connecting to said IP network and participating in a multimedia conference call conducted over the IP network and the switched circuit network (¶ 0046-0049), said multimedia user station

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comprising:

special purpose software operated to (§ 0026 and § 0084):

transmit the IP address of said multimedia user station in a message over the switched circuit network (to send a request or a response requires IP address and port number. Furthermore, invite requests include IP address information § 0028 and § 0038-0044); and

negotiate capabilities with other multimedia user stations on a conference call, said negotiation conducted over the IP network (the bandwidth and other QoS -related properties of real-time media types, i.e., audio and video, are negotiated when establishing a session with the other end point § 0054, § 0061 and § 0069).

As per claim 2, Dalal et al teach the multimedia user station according to claim 1, wherein said IP address message is transmitted in accordance to an in-band acoustic signaling protocol (§ 0038 and §0047-0051)

As per claim 3, Dalal et al teach the multimedia user station according to claim 2, wherein said in-band acoustic signaling protocol is Frequency Shift Key (FSK) (this is an inherent feature in signaling protocol and the media type used by the prior art § 0013; § 0038 and §0047-0051).

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As per claim 4, Dalal et al teach the multimedia user station according to claim 2, wherein said in-band acoustic signaling protocol is Dual Tone Multi-Frequency (DTMF) (to use telephone in conferencing system as taught by Dalal et al, inherently teaches this limitation ¶ 0013 and ¶0047-0051. See also ¶ 0062).

As per claim 5, Dalal et al teach the multimedia user station according to claim 1, wherein said IP address message is transmitted in accordance to an out-of-band signaling protocol (¶ 0085-0089).

Claims 7-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Vaziri et al U.S. PUB. No. (20040022235).

As per claims 7, 13 and 19, Vaziri et al teach a method to set up a multimedia conference over an Internet Protocol (IP) network connected to a switched circuit network (abstract figs 7A-C and fig. 13), two or more multimedia user stations connected to the IP network (caller A and B, fig. 7C/terminals 1304, fig. 13) and zero or more standard telephone instruments connected to the switched circuit network, said two or more multimedia user stations capable of participating in a multimedia conference call conducted over the IP network and the switched circuit network (¶ 0066-0067 and ¶0166-0170), said zero or more standard

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telephone instruments capable of participating in an audio conference call over the switched circuit network (see figs. 7A-C and fig. 13, ¶ 0066-0067 and ¶0166-0170), said method comprising:

establishing an audio conference via the switched circuit network between said two or more multimedia user stations and said zero or more standard telephone instruments ¶ 0066-0067 and ¶ 0166-0170);

transmitting, by one of said two or more multimedia user stations, the IP address of said one of said two or more multimedia user stations in a message over the switched circuit network (¶0068-0072); and

negotiating capabilities by said one of said two or more multimedia user stations with the others of said two or more multimedia user stations on the conference call, said negotiations conducted over the IP network (¶0105-0107 and ¶0164-0167);

whereby said two or more multimedia user stations and said zero or more standard telephone instruments may conduct an audio conference via said switched circuit network, and said two or more multimedia user stations may conduct an associated extra-audio conference over said IP network (figs 7A-C; ¶ 0066-0067 and ¶0166-0170).

As per claims 8, 14 and 20, Vaziri et al teach the invention to set up a multimedia conference according to claim 13,

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wherein said IP address message is transmitted in accordance to an in-band acoustic signaling protocol (§ 0045-0052).

As per claims 9, 15 and 21, Vaziri et al teach the invention to set up a multimedia conference according to claim 14, wherein said in-band acoustic signaling protocol is Frequency Shift Key (FSK) (§ 0052-0057).

As per claims 10, 14 and 22, Vaziri et al teach the invention to set up a multimedia conference according to claim 14, wherein said in-band acoustic signaling protocol is Dual Tone Multi-Frequency (DTMF) (§ 0052-0057).

As per claims 11, 17 and 23, Vaziri et al teach the invention to set up a multimedia conference according to claim 13, wherein said IP address message is transmitted in accordance to an out-of-band signaling protocol (§0105-0107 and §0164-0167).

As per claims 12, 18 and 24, Vaziri et al teach the invention to set up a multimedia conference according to claim 17, wherein said out-of-band acoustic signaling protocol is Integrated Services Digital Network (ISDN) (§0094 and §0164-0166).

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dalal et al U.S. PUB. No. (2003001448) in view of Vaziri et al U.S. PUB. No. (20040022235).

As per claim 6, although Dalal et al shows substantial features of the claimed invention, he does not explicitly show using Integrated Services Digital Network (ISDN) signaling protocol.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Dalal et al, as evidenced by Vaziri et al US PUB. (20040022235).

In analogous art, Vaziri et al whose invention is Internet switch box system for Internet telephony, disclose voice communication between users over the Internet while using Integrated Services Digital Network (ISDN) signaling protocol [¶0094]. Giving the teaching of Vaziri et al, a

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person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Dalal et al by employing the system of Vaziri et al so that communications between multiple users are carried out digitally over the Internet and to provide interoperability among products from multiple vendors.

Conclusion

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Yasin Barqadle

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MOUSTAFA M. MEKY
PRIMARY EXAMINER